

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIAFILED
08 APR -7, AM 10:55
08 MJ 1055

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jaime RAMIREZ-Ramirez,

Defendant

Magistrate Docket No. 08 MJ 1055

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **April 5, 2008** within the Southern District of California, defendant, **Jaime RAMIREZ-Ramirez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANTIsmael A. Canto
Senior Patrol AgentSWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 7th DAY OF APRIL 2008.
Ruben B. Brooks
UNITED STATES MAGISTRATE JUDGE

USA XO

PROBABLE CAUSE STATEMENT

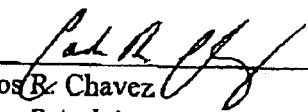
I declare under the penalty of perjury that the following statement is true and correct:

On April 5, 2008, Border Patrol Agent D. De La Cruz was performing line watch duties in the Imperial Beach Border Patrol Station's area of operations. Dispatch advised via service radio of an individual walking northbound in the southbound lanes of Interstate 5 from the United States/Mexico International Boundary at the San Ysidro, California Port of Entry. This tactic is commonly used by individuals attempting to further their illegal entry into the United States.

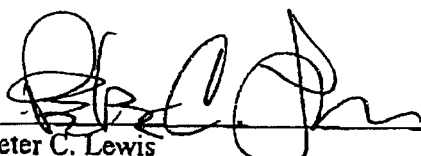
Agent De La Cruz responded to the reported location and observed an individual matching the description reported by dispatch standing on the corner of Camino de la Plaza and Camiones Way. This area is less than a quarter of a mile northwest of the San Ysidro, California Port of Entry. This area is a well known spot for vehicles to pick up individuals who had just illegally crossed in the above mentioned manner. Agent B. Porter and Agent De la Cruz approached the individual, later identified as the defendant Jaime RAMIREZ-Ramirez, and Agent De La Cruz identified himself as a United States Border Patrol Agent and asked the defendant if he could talk to him. At that point the defendant began to run southbound on Camiones Way and Agent Porter chased the defendant on foot and Agent De La Cruz followed in his service vehicle. Agent De La Cruz parked the vehicle and encounters the defendant on foot at the turnaround at the south end of Camiones Way. Agent De La Cruz questioned the defendant as to his country of citizenship and nationality. The defendant freely admitted that he was a citizen and national of Mexico and that he possessed no immigration documentation permitting him to enter or remain in the United States legally. At approximately 8:45 a.m., the defendant was arrested and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on January 23, 2008 through San Ysidro, California. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on April 6, 2008 at 9:00 a.m.


Carlos R. Chavez
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on April 5, 2008, in violation of Title 8, United States Code, Section 1326.


Peter C. Lewis
United States Magistrate Judge

4-6-08 @ 11:33 a.m.
Date/Time